

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PONSFORD P. DOE,	:	
	:	CIVIL ACTION
Plaintiff,	:	NO. 13-4204
	:	
v.	:	
	:	
APRIA HEALTHCARE GROUP INC.,	:	
	:	
Defendant.	:	

**O R D E R**

**AND NOW**, this **10th** day of **April, 2015**, for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that Defendant's Motion for Summary Judgment (ECF No. 18) is **GRANTED in part and DENIED in part**, as follows:

- (1) Defendant's Motion is **GRANTED** as to Plaintiff's claim of retaliation, in violation of 42 U.S.C. § 1981 (Count III);
- (2) Defendant's Motion is **DENIED** as to Plaintiff's claim of unlawful termination, in violation of 42 U.S.C. § 1981 (Count II); and

(3) Counts I<sup>1</sup> and III of the Amended Complaint (ECF No. 3) are **DISMISSED**.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.

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<sup>1</sup> Plaintiff previously withdrew Count I, his hostile work environment claim.